

Order

Michigan Supreme Court
Lansing, Michigan

September 27, 2010

Marilyn Kelly,
Chief Justice

141337

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 141337
COA: 293142
Saginaw CC: 07-029363-FC

DONALD LEE TOLBERT, III,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the June 3, 2010 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

DAVIS, J., not participating. I recuse myself and am not participating because I was on the Court of Appeals panel in this case. See MCR 2.003(B).



s0920

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 27, 2010

Corbin R. Davis

Clerk